HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI C.V.NAGARJUNA REDDY

WRIT PETITION No.14475 of 2006

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Between:

Repalle Vasudeva Rao
and others

… Petitioners

AND

The Government of Andhra Pradesh
rep. by its Secretary,
Panchayat Raj and Rural Development Dept.,
Secretariat Buildings, Hyderabad,
and others.

… Respondents

ORDER

Counsel for petitioners : Shri M.K.Rajgopal for
Shri A.S.C.Bose

Counsel for respondents Nos.1 to 5 : Government Pleader for
Panchayat Raj and
Rural Development

16-10-2006

Per G.S.Singhvi, CJ

In this petition filed on 16th June, 2006, the petitioners, who claim to be residents of Tummala village, Repalle Mandal, Guntur district, have prayed for quashing order dated 21-07-2004 passed by District Collector, Guntur, whereby respondent No.6 – Garikapati Gopinath was posted as Panchayat Secretary, Gram Panchayat, Tummala.

We have heard Shri M.K.Rajgopal and perused the affidavit of petitioner No.1 – Repalle Vasudeva Rao. In our opinion, the writ petition does not deserve to be entertained because:

(i) the petitioners have not filed copy of order dated 21-07-2004 the legality of which has been challenged in the writ petition. Therefore, by applying the ratio of the judgment in **Surender Singh Vs. Central Government** [1], we decline to entertain their challenge to that order;

(ii) the petitioners have not explained the time gap of almost two years between the date on which respondent No.6 was posted as Secretary of Gram Panchayat, Tummala and date of filing of the writ petition and, in the absence of any explanation, the delay of two years is fatal to their prayer, and

(iii) the petitioners have not shown as to how they have locus to challenge the transfer and posting of Panchayat Secretary.

For the reasons aforestated, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.27231 of 2006 filed by petitioners for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

16-10-2006

bsc

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[1] AIR 1986 SC 2166